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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,062	09/26/2001	Kazuyuki Matsumoto	CU-2676 RJS	1441

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EXAMINER

WINDMULLER, JOHN

ART UNIT PAPER NUMBER

3724

DATE MAILED: 09/24/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/964,062	MATSUMOTO ET AL.
	Examiner	Art Unit
	John Windmuller	3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 September 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 2 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1, 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujita in view of the Japanese reference to Nishigaito, the British reference 1,074,662, and Mikkelsen. The method of Fujita discloses the invention as claimed except for the method of heating a workpiece, determining its expected expansion, and cutting the workpiece immediately after heating so as to compensate for its expansion when it is cooled; and performing said operation on a synthetic resin sheet for a lens. However, Nishigaito teaches a method of heating a workpiece, determining its expected expansion, and cutting the workpiece so as to compensate for its expansion when it is cooled (see translated abstract). Also, the British reference 1,074,662 teaches performing an operation to compensate for expansion during heating of a synthetic resin sheet. While the British reference 1,074,662 does not explicitly teach performing heating with expansion-adjusted cutting on a synthetic resin sheet, it does show that it is well known that a sheet-shaped plastic workpiece is deformed when it undergoes heating processes and it may be desirable to build into the process elements that compensate for this deformation (see claim 1, see also the abstract of the European reference to Guntell et al.). Also, Mikkelsen teaches cutting a plastic lens immediately after heating (abstract; col. 1, lines 38-60; col. 6, lines 4-8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the method of Fujita with the method of heating a workpiece, determining its expected

Art Unit: 3724

expansion, and cutting the workpiece so as to compensate for its expansion when it is cooled as taught by Nishigaito; the dimensional compensation of a heat-worked synthetic resin sheet as taught by the British reference 1,074,662; and the cutting of a plastic lens immediately after heating of Mikkelsen for effective dimensional control of the workpiece.

Furthermore, regarding claim 2, it would be obvious to perform steps similar to those described in claim 1 on a synthetic resin sheet for a lens having a plurality of prescribed cutting lines since doing so would constitute merely repeating the steps described in claim 1.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 2 have been considered but are non-persuasive. On page 3 of Applicant's remarks, Applicant states that the Japanese reference to Nishigaito relates to cutting a hot-rolled steel bar that has been heated up by thousands of degrees centigrade and so cannot be used against the claims, which describe a method for cutting a synthetic resin sheet, which has been heated up by only tens of degrees centigrade. British reference 1,074,662, which teaches dimensional control of a heat-worked synthetic resin sheet, has been applied to the claims above. Furthermore, in using the method of Nishigaito with the synthetic resin sheet of British reference 1,074,662 or Mikkelsen, it would have been obvious to heat the workpiece to only the temperature required to soften the workpiece and also to consider compensation for expansion of the synthetic resin sheet, as discussed in both British

Art Unit: 3724

reference 1,074,662 and Mikkelsen. Applicant's further arguments on page 3 regarding heating with temperature adjusted cutting of a synthetic resin sheet are moot in view of Mikkelsen. The claims stand rejected.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Windmuller whose telephone number is 703 305-4988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 703 308-1082. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-1148.


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Allan N. Shoap
Supervisory Patent Examiner
Group 3700